FILED
UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

JAN 24 2017

MATTHEW J. DYKMAN
CLERK

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL SHIRLEY,

Defendant.

CRIMINAL NO. 15-CR-01285-003 JB

UNITED STATES' MOTION FOR § 3E1.1(b) DOWNWARD ADJUSTMENT

Pursuant to USSG § 3E1.1(b), the United States moves for a one-level downward adjustment in the Defendant's sentencing guidelines offense level.

1. Pursuant to USSG § 3E1.1(a), the Defendant has clearly demonstrated acceptance of responsibility for this offense. The Defendant has assisted authorities in the investigation or prosecution of this matter by timely notifying authorities of the Defendant's intention to enter a plea of guilty.

2. Prior to the operation of USSG § 3E1.1(a), the Defendant's offense level was 16 or greater.

Respectfully submitted,

DAMON P. MARTINEZ
United States Attorney

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NIKI TAPIA-BRITO
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I HEREBY CERTIFY that a true copy of this Motion was provided to Counsel for Defendant.

Niki Tapia-Brito
NIKI TAPIA-BRITO
Assistant United States Attorney